

MAY 02 2013

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
HARRISONBURG DIVISION

JULIA C. DUDLEY, CLERK
BY: *[Signature]*
DEPUTY CLERK

| | | |
|-------------------------------|---|------------------------------------|
| UNITED STATES OF AMERICA, |) | CASE NO. 5:07CR00063 |
| |) | (CASE NO. 5:13CV80581) |
| |) | |
| v. |) | <u>FINAL ORDER</u> |
| |) | |
| |) | |
| KEVIN VINCE STOTTLEMYER, JR., |) | By: Glen E. Conrad |
| |) | Chief United States District Judge |
| Defendant. |) | |

In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

that defendant's motion for extension of time to file a motion to vacate, set aside or correct the sentence under 28 U.S.C. § 2255 (ECF No. 724) is **DENIED**; the § 2255 motion (ECF No. 725) is **DISMISSED**, and this action is stricken from the active docket of the court. Based upon the court's finding that the defendant has not made the requisite showing of denial of a substantial right, a certificate of appealability is **DENIED**.

ENTER: This 2nd day of MAY, 2013.

[Signature]

Chief United States District Judge